

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION COMMISSIONERS' PREFERENCES

COMMISSIONER-SPECIFIC PREFERENCES

Commissioner Gene McCaskill

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Mailing address: P.O. BOX 1715, Columbia, SC 29202-1715

Standard Preferences apply unless otherwise indicated below.

1. Medical records submitted under APA should be organized in chronological order, with the **newest** records on top.
2. All APAs are to be bound (i.e., binder clip, notebook, etc.) and handed up at the hearing per Regulation 67-612 D, not prior to the hearing.
3. For hearings involving specific legal issues (laches, notice, jurisdiction, statute of limitations, etc), please provide a brief summary of the case law and pertinent facts supporting your client's position. This brief should be no longer than three (3) pages in length, unless the case involves novel issues or a complex set of facts and legal issues. You will be allowed to present this brief, pertaining solely to the legal issues at the hearing.
4. Depending on the circumstances, I may allow duly subpoenaed and listed expert witnesses to testify at the hearing, although I prefer the deposition or submission of the reports.
5. Prior to the date of the clincher conference, please send the AA a copy of the treating doctor's last several office notes, as well as any operative notes. Also, please have available at the hearing the rating equivalent of the amount the Claimant is being offered. Clincher Conferences are scheduled for five (5) to ten (10) minutes. Please negotiate and discuss settlement with the Claimant prior to the scheduled conference. It is helpful to have a copy of the clincher agreement submitted to the Commissioner's office at least a week prior to the conference.
6. Please have a conversion of the specific body part, if necessary (i.e. upper extremity to shoulder).
7. Absent a detailed estimate and analysis of additional medical treatment and costs for removal of retained hardware, I will not approve clincher settlements that do not include lifetime maintenance for hardware.
8. For fee petitions, in the event an attorney fee is \$50,000 or greater, please complete and submit a Form 61A.
9. Video surveillance tapes should be reviewed and exchanged by the parties prior to the hearing.
10. If the parties need 1 ½ hours or more to try the case, please contact my office in writing as soon as possible.
11. If your case is scheduled in the afternoon, please have flexibility in your and your witnesses schedule to be able to adjust the hearing time up if necessary.
12. Unless otherwise specified, please submit the proposed order within thirty (30) days.
13. Please forward a copy of the proposed order to opposing counsel one (1) week before forwarding to my office. Please note in your cover letter whether opposing counsel agrees that the order accurately reflects my ruling, does not agree the order accurately reflects my ruling, or failed to respond regarding the order.
14. Please notify my administrative assistant via [email](#) of any settlements (i.e., clinchers, 16s, consent orders, withdraw 50, withdraw 21, etc.). Please include, "The file will be returned to General Files to be reset upon the request of either party" in all Consent Orders.
15. Please submit all proposed Decision and Award orders in Word format and Consent Orders in pdf format electronically via [email](#) **ONLY** to my administrative assistant.